

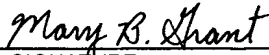
|   |  |   |
|---|--|---|
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>   |  | ATTORNEY'S DOCKET NUMBER<br>USB.10279                         |
| INTERNATIONAL APPLICATION NO.<br>PCT/US2003/07087   | INTERNATIONAL FILING DATE<br>March 7, 2003 | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br>10/506,522 |
| TITLE OF INVENTION<br>METHODS OF TREATING HAIR  |  | PRIORITY DATE CLAIMED<br>March 7, 2002                        |
| APPLICANT(S) FOR DO/EO/US<br>Guy LaTORRE and Kevin MCKENZIE.  |  |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |  |   |
| 1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.   |  |   |
| 2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.  |  |   |
| 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.   |  |   |
| 4. <input type="checkbox"/> The US has been elected (Article 31).   |  |   |
| 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul>  |  |   |
| 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul>  |  |   |
| 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> |  |   |
| 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).   |  |   |
| 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).   |  |   |
| 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).   |  |   |
| <b>Items 11 to 20 below concern document(s) or information included:</b>  |  |   |
| 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.  |  |   |
| 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.  |  |   |
| 13. <input type="checkbox"/> A preliminary amendment.   |  |   |
| 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.   |  |   |
| 15. <input type="checkbox"/> A substitute specification.  |  |   |
| 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.  |  |   |
| 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.  |  |   |
| 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).  |  |   |
| 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).  |  |   |
| 20. <input checked="" type="checkbox"/> Other items or information: Note document enclosed is a Combined Declaration/Power of Attorney  |  |   |

I hereby certify that the application/correspondence attached hereto is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No. EV 613033 370 US Date of Deposit: 05/17/2005

Jennie Slead

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |              |   |         |                                       |              |
|--|--------------|---|---------|---------------------------------------|--------------|
| U.S. APPLICATION NO: (if known, see 37 CFR 1.5)<br>10/506,522  |              | INTERNATIONAL APPLICATION NO.<br>PCT/US2003/07087                             |         | ATTORNEY'S DOCKET NUMBER<br>USB.10279 |              |
| The following fees have been submitted   |              |   |         | CALCULATIONS                          | PTO USE ONLY |
| 21. <input type="checkbox"/> Basic national fee..... \$300   |              |   |         | \$                                    |              |
| 22. <input type="checkbox"/> Examination fee<br>If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100<br>All other situations..... \$200   |              |   |         | \$                                    |              |
| 23. <input type="checkbox"/> Search fee<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100<br>International Search Report prepared and provided to the Office..... \$400<br>All other situations..... \$500   |              |   |         | \$                                    |              |
| TOTAL OF 21, 22 and 23 =   |              |   |         | \$                                    |              |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium).<br>The fee is \$250 for each additional 50-sheets of paper or fraction thereof.  |              |   |         |                                       |              |
| Total Sheets   | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE    |                                       |              |
| - 100 =  | /50 =        |   | x \$250 | \$                                    |              |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).   |              |   |         | \$ 130.00                             |              |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA  | RATE    | \$                                    |              |
| Total claims   | - 20 =       |   | x \$ 50 | \$                                    |              |
| Independent claims   | - 3 =        |   | x \$200 | \$                                    |              |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |              |   | + \$360 | \$                                    |              |
| TOTAL OF ABOVE CALCULATIONS =  |              |   |         | \$                                    |              |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.   |              |   |         |                                       |              |
| SUBTOTAL =   |              |   |         | \$ 130.00                             |              |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).  |              |   |         | \$                                    |              |
| TOTAL NATIONAL FEE =   |              |   |         | \$                                    |              |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property   |              |   |         | \$                                    |              |
| TOTAL FEES ENCLOSED =  |              |   |         | \$ 130.00                             |              |
| 05/20/2005 LLANDGRA 00000041 10506522  |              |   |         | Amount to be refunded:                | \$           |
| 01 FC:1617 130.00 DA   |              |   |         | Amount to be charged:                 | \$           |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-3218</u> in the amount of \$ <u>130.00</u> to cover the above fees.<br/>A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-3218</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> |              |   |         |                                       |              |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.   |              |   |         |                                       |              |
| SEND ALL CORRESPONDENCE TO:  |              |   |         |                                       |              |
| Hutchison & Mason PLLC<br>P.O. Box 31686<br>Raleigh, North Carolina 27612<br>(919) 829-9600  |              |   |         |                                       |              |
| <br>SIGNATURE<br>Mary B. Grant<br>NAME<br>32,176<br>REGISTRATION NUMBER  |              |   |         |                                       |              |

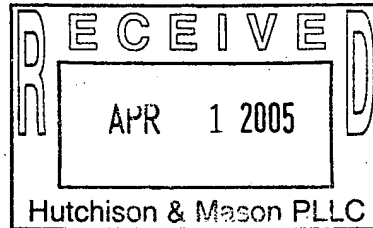


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

|   |                                       |                             |
|---|---------------------------------------|-----------------------------|
| U.S. APPLICATION NUMBER NO.<br>10/506,522 | FIRST NAMED APPLICANT.<br>Guy LaTorre | ATTY. DOCKET NO.<br>USB.279 |
|---|---------------------------------------|-----------------------------|

45473  
HUTCHISON & MASON PLLC  
PO box 31686  
RALEIGH, NC 27612



|   |                             |
|---|-----------------------------|
| INTERNATIONAL APPLICATION NO.<br>PCT/US03/07087 |                             |
| I.A. FILING DATE<br>03/07/2003                  | PRIORITY DATE<br>03/07/2002 |

CONFIRMATION NO. 3024  
371 FORMALITIES LETTER  
  
\*OC000000015578566\*

Date Mailed: 03/28/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/03/2004
- Copy of the International Search Report filed on 09/03/2004
- Copy of IPE Report filed on 09/03/2004
- Preliminary Amendments filed on 09/03/2004
- Information Disclosure Statements filed on 12/01/2004
- Oath or Declaration filed on 09/03/2004
- Copy of references cited in ISR filed on 09/03/2004
- U.S. Basic National Fees filed on 09/03/2004
- Priority Documents filed on 09/03/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

**DOCKETED**  
Declaration Due 5/28/05  
dm

- \$130 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/506,522                  | PCT/US03/07087                | USB.279          |